

REMARKS

Applicants' amendment of claim 15 serves to correct a typographical error and is not in response to any rejection or remark in the office action mailed 09/29/2004.

The Examiner rejected claims 15-17, 19, 21-24, 26-28, 30-38, and 40-43 under 35 U.S.C. §102(e) as allegedly being anticipated by LaFollette et al. 6,610,440.

The Examiner rejected claims 18, 20, 25, 29 and 39 under 35 U.S.C. §103(a) as allegedly being unpatentable over LaFollette et al. 6,610,440 as applied to claims 15-17, 19, 21-24, 26-28, 30-38, and 40-43, and further in view of Bates et al. 5,561,004 and Wolk et al.

Applicants respectfully traverse the §102 and §103 rejections with the following arguments.

35 U.S.C. §102(e)

The Examiner rejected claims 15-17, 19, 21-24, 26-28, 30-38, and 40-43 under 35 U.S.C. §102(e) as allegedly being anticipated by LaFollette et al. 6,610,440.

Applicants respectfully contend that LaFollette does not anticipate claim 15, because LaFollette does not teach each and every feature of claim 15.

As a first example why LaFollette does not anticipate claim 15, LaFollette does not teach the feature: "forming a layer of electronic devices on the semiconductor wafer, wherein the layer of electronic devices includes at least one electronic device".

Although the Examiner alleges that layer 30 in LaFollette is a layer of electronic devices, Applicants contend that LaFollette discloses layer 30 to be of layer of silicon dioxide which is not a layer of electronic devices as required by claim 15. See LaFollette, FIG. 3 in which layer 30 is identified to be a layer of silicon dioxide. Applicants additionally contend that the Examiner's citation of col. 20, lines 15+ of LaFollette is not persuasive, because col. 20, lines 15+ of LaFollette do not discuss layer 30 and most certainly do not disclose that layer 30 is a layer of electronic devices.

As a second example why LaFollette does not anticipate claim 15, LaFollette does not teach the feature: "wherein the first conductive metallization conductively couples a first electrode of the at least one battery to the at least one electronic device, and wherein the second conductive metallization conductively couples a second electrode of the battery to the at least one electronic device".

The Examiner argues that in LaFollette: the layer of electronic devices is represented by

layer 30, the first conductive metallization is represented by layer 46, the second conductive metallization is represented by layer 47 or 49, the first electrode of the battery 44' is represented by layer 34", and the second electrode of the battery 44' is represented by layer 40".

In response, Applicants note that LaFollette does not disclose any electronic devices in layer 30 to which layer 46, 47, and 49 can be conductively coupled, as explained *supra*.

Moreover with respect layer 47, FIG. 3 of LaFollette does not show any conductive coupling between layer 47 and layer 30 and instead shows insulative polyimide spacer 38 insulatively separating layer 47 from layer 30. Therefore, layer 47 does not conductively couple the second electrode 40" of the battery 44' to the layer 30 as would be required to support the Examiner's argument.

Moreover with respect layer 49, FIG. 5 of LaFollette does not show any conductive coupling between layer 49 and layer 30 and instead shows insulative polyimide spacer 38 insulatively separating layer 49 from layer 30. Therefore, layer 49 does not conductively couple the second electrode 40" of the battery 44' to the layer 30 as would be required to support the Examiner's argument.

Based on the preceding arguments, Applicants respectfully maintain that LaFollette does not anticipate claim 15, and that claim 15 is in condition for allowance. Since claims 16-17, 19, 21-24, 26, 26-28, 30-38, and 40-43 depend from claim 15, Applicants contend that claims 16-17, 19, 21-24, 26, 26-28, 30-38, and 40-43 are likewise in condition for allowance.

35 U.S.C. §103(a)

The Examiner rejected claims 18, 20, 25, 29, and 39 under 35 U.S.C. §103(a) as allegedly being unpatentable over LaFollette et al. 6,610,440 as applied to claims 15-17, 19, 21-24, 26-28, 30-38, and 40-43, and further in view of Bates et al. 5,561,004 and Wolk et al.

Since claims 18, 20, 25, 29, and 39 depend from claim 15, which Applicants have argued *supra* to not be unpatentable over LaFollette under 35 U.S.C. §102(e), Applicants maintain that claims 18, 20, 25, 29, and 39 are likewise not unpatentable over LaFollette in view of Bates and Wolk under 35 U.S.C. §103(a).

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 09-0457.

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